

# IN THE UNDERCOVER POLICING INQUIRY

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## SUBMISSIONS ON BEHALF OF

PETER FRANCIS

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## OPEN GENERIC GROUNDS FOR RESTRICTION & 'TRADECRAFT' MATERIALS

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1. Given the existence of 'Closed Generic Grounds for Restriction', in relation to which we assume, from a reading of paragraphs 9 – 11 of the Restriction Protocol, that the 'umbrella categories' (of which there are only four in the 'Open Generic Grounds') are the same as the open generic grounds, and that only the sub-categories are different and closed<sup>1</sup>, any submissions we can make will be of limited value.
2. The umbrella categories and sub-categories in the Open Schedule are unobjectionable, as they stand. It is *their application* that is the crucial issue. In relation to the SDS, for example, it is impossible to see, how sub-categories 7 to 14 can ever be a ground for redaction, given i) the purpose of this Inquiry, and ii) what is already in the public domain about these matters, as far as the SDS is concerned. In relation to i), most of these issues have to be explored to fulfil the ToR as evidenced by the issues already identified in the consultation on the 'Draft Module One Special Demonstration Squad Issues List'. Indeed, as far as sub-categories 12 and 13 are concerned, the MPS have made clear that "It is not intended to cover the targeting or length of deployment of

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<sup>1</sup> Although we would be grateful for confirmation of this assumption. The open gist of Christopher Farrimond's statement, for example, refers to "closed generic restriction ground K which has four sub-categories"; the NPCC submissions dated 22 January 2018 refer to "generic grounds E to I, L and M" [para 60]. We are unaware of what these letters refer to. If the open umbrella grounds are being referred to as A – D, then there are clearly other umbrella grounds?

SDS and NPIOU officers. To the extent that revealing that information would cause harm, a restriction order would be sought under Category A” [para 32 of their submissions dated 14 February 2018]. As far as sensitive techniques are concerned, it is submitted that they can only be a ground for reaction if the technique is on-going *and* is not discredited. The Open Schedule should clearly indicate these points.

3. In relation to ii) there is a great deal of information in the public domain on the historical SDS approach to 7 – 14, not least here: [http://undercoverresearch.net/wp-content/uploads/2017/07/wasmyfriend.v13 .pdf](http://undercoverresearch.net/wp-content/uploads/2017/07/wasmyfriend.v13.pdf). Indeed, there is much in the public domain even in relation to current undercover operations/techniques targeting serious crime, following prosecutions in which evidence is given by UCOs in court (see for example, <http://www.dailymail.co.uk/news/article-4302092/ISIS-fanatic-bragged-planning-attack-emoji.html>).
4. Thus, bearing in mind all of the above, it is difficult to see why the Tradecraft Binder 2 (from 1995) (which is central to some of the issues identified in the Draft Issues List) should be redacted - other than where anonymity has been granted to a particular officer and s/he is identified in the manual, in which case Open Grounds 1 – 5 will apply or where the material is plainly irrelevant (and therefore outside the ToR). Why, for example, is the name / description of a target group removed from Tradecraft (Table of Contents, 7.9), when the justification for a particular target group is a fundamental part of the Inquiry’s purpose?
5. On a separate but Tradecraft related issue, DS Coles is described as the “Original Author” [p.45]<sup>2</sup>, when he cannot in fact be the “original” author. The SDS Tradecraft manual was in existence long before that. PF, for example, saw a different version to this one when in the SDS Back Office from January to September 1993. The manual was in reality a collection of thoughts / insights/ advice from different SDS officers in different undercover fields e.g. the Right Wing, Animal Rights, Anarchists, SWP etc. PF was told by his SDS managers that it came into being shortly after the Unit was

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<sup>2</sup> Reinforced by an Inquiry Tweet of 19 March: “The original author of the copy of the Tradecraft Manual published today was HN2, whose real name is Andrew Coles”.

founded in 1968. It was updated by officers, shortly before they left the SDS, if they wished to add to or update anything that was already committed to writing by their former colleagues (see the brief description of Tradecraft in HN109's gisted risk assessment at 3.3 – 3.4<sup>3</sup>, a manual which he was aware of even in the 1970s when he was deployed undercover). Thus, the Inquiry should confirm whether they are in possession of all versions or any previous versions of the manual.

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<sup>3</sup> [https://www.ucpi.org.uk/wp-content/uploads/2018/03/20180302-HN109-Open\\_risk\\_assessment\\_final.pdf](https://www.ucpi.org.uk/wp-content/uploads/2018/03/20180302-HN109-Open_risk_assessment_final.pdf)